



**Development cooperation and**  
**electoral integrity in West Africa:**  
**Issues and prospects**

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## Abstract

To ensure electoral integrity, electoral assistance by the Economic Community of West African States (ECOWAS) responds to the practical realities and peculiarities of West African States and takes proactive measures to facilitate good practices within Electoral Management Bodies (EMBs). Its electoral support initiatives cover a broad range of activities to meet a myriad of electoral and socio-economic challenges. One way of helping ECOWAS address these challenges is through development cooperation with both the European Union (EU) and African Union (AU). The support of the EU and AU is critical to the success of future initiatives of ECOWAS and to the enhancement of the quality of elections in ECOWAS member states.

## Background

The Electoral Assistance Unit (EAU)<sup>1</sup> implements ECOWAS' electoral assistance by responding to the practical realities and peculiarities of West African States and taking pro-active measures to facilitate good practices within ECOWAS Electoral Management Bodies (EMBs) in member states. The ultimate aim is to ensure electoral integrity.<sup>2</sup> Within this framework, its electoral support initiatives include:

1. Facilitation of the replication of good practices among EMBs through regional cooperation, networking and capacity building for electoral commissions.
2. Provision of technical and financial assistance to member states to aid the successful conduct of elections, and mediation activities aimed at facilitating the prevention and/or management of election-related disputes.
3. Conduct of pre-election fact-finding and election observation aimed at ensuring the conduct of peaceful, credible and fair elections, and provision of technical, financial and logistical support to enhance the effectiveness of EMBs.
4. Harmonization of electoral laws and processes in member states.

These activities have contributed to the conduct of credible elections and thereby enhanced regional peace and stability. Given the scope of these activities and the limitations<sup>3</sup> of the EAU, it is inevitable for it to synergize its energy with those of a plethora of development partners in order to achieve its objectives. Of particular interest in this work is its development cooperation with two regional organizations: the EU and the AU.

This paper argues that development cooperation with both the EU and AU are critical to the success of future initiatives of ECOWAS and to the enhancement of the quality of elections

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<sup>1</sup> See Appendix One for a detailed description of the mandate, operations and programmes of the EAU. Appendices Two and Three contain an exit strategy from development assistance and relevant recommendations in order to ensure the effectiveness of election-related development assistance.

<sup>2</sup> When an electoral system is perceived as unfair, unresponsive or corrupt, its political legitimacy is compromised and stakeholders are motivated to go outside the established norm to achieve their political objectives. Electoral conflict and violence thus become tactics in political competition, see Fisher, J., 'Electoral Conflict and Violence', *Elections Today*, 12/1(2004), p. 6

<sup>3</sup> The most profound limitation is staffing, as the EAU has only two professional staff. In addition, many of its activities have benefited from the financial support of development partners.

in ECOWAS member states. In order to support this argument, the paper will explore the current and planned cooperation between ECOWAS, the AU and the EU; the rationale and context for cooperation; challenges and opportunities; and policy recommendations on how future programmes can prevent the pitfalls of previous and current cooperation frameworks.

## ECOWAS cooperation with the AU and the EU

The AU and ECOWAS have shared mandates for ensuring peace and security in Africa<sup>4</sup> and have been involved in joint preventive diplomacy, implementation of the Africa Peace and Security Architecture (APSA) and Continental Early Warning Systems (CEWS), and in coordinating field activities in the area of election observation. The AU's leadership role, as exemplified in the work plan developed by its EAU, articulates that regional programmes are to be jointly implemented with Regional Economic Communities (RECs).<sup>5</sup>

Perhaps the fact that the AU's Political Affairs Department is gradually moving from policy development to policy implementation and monitoring of implementation stages<sup>6</sup> amplifies the importance of more effective collaboration between it and the RECs. Lately, partnership between the AU and RECs has been included in a 2009 agreement between the UNDP and the AU on 'Consolidating Participatory and Democratic Governance in Africa', which covers support to the AU and RECs on strengthening democratic processes and institutions. Under this cooperation framework, training programmes were conducted in 2011 for election observers from the ECOWAS region and for other RECs in Africa in order to strengthen their capacity to undertake effective electoral support and election observation. Over 500 election observers have reportedly been trained under this scheme in all regions within Africa.<sup>7</sup> In terms of future developments, ECOWAS plans to propose massive civic education for citizens of all 15 member states, in partnership with the AU.

The EU, on the other hand, is by far the largest donor of funds in West Africa, accounting for close on two-thirds (64.9 per cent) of total regional aid committed, with 57 per cent coming from the European Commission (EC) and 7.9 per cent from EU member states. One third of the remaining (non-EU financing) comes from multilateral donors, especially the World Bank and the UN (25 per cent of total financing).<sup>8</sup> Development cooperation between the EU and ECOWAS is predicated upon the EU-Africa partnership, based on a shared political vision, a joint Africa-EU strategy, and a roadmap for future cooperation.<sup>9</sup>

<sup>4</sup> See Chapter VIII of the UN Charter.

<sup>5</sup> These include training of AU Election Observers in the five regions of the Continent, and regional meetings on the promotion of the electoral processes with respect to EMB's performance, *Ibid.*

<sup>6</sup> Statement credited to Mrs. Julia Dolly Joiner, AU Commissioner for Political Affairs, *African Governance Newsletter*, Volume 1, No 01, January-March 2011 (Addis Ababa), p. 18

<sup>7</sup> UNDP, 'Improving Quality and Credibility Through Professional Election Observation and Monitoring'

<sup>8</sup> European Community, *West Africa Regional Strategy Paper and Regional Indicative Programme (2008-2013)*

<sup>9</sup> Detailed description of the legal and formal underpinnings of EU-Africa relations can be found in International IDEA, *Democracy in Development: Global Consultations on the EU's Role in Democracy Building*, (Stockholm: International IDEA, 2009), pp. 53-54



Within this broad framework, support for election-related activities by the EU support falls under the project on conflict prevention and peace building, which also supports mediation and facilitation, the ECOWAS Conflict Prevention Framework (ECPF) elaboration and adoption, and reduction in the circulation and trafficking of small arms and light weapons.

On electoral assistance, EU support has contributed to the deployment of fact-finding missions and election observers to enhance the integrity of elections in member states, production of resource materials for observers (the ECOWAS Handbook on Election Observation) and acquisition of equipment for the Election Observation Unit.<sup>10</sup> The EU is also one of the bodies engaged in providing additional assistance to ECOWAS member states through the UNDP-EC global programmes for electoral cycles support, from which countries like Benin and Niger have benefitted in terms of voter education and biometric voter registration respectively.<sup>11</sup> The EU has been similarly involved in a 'Partnership on Electoral Assistance' programme with the UNDP, which has successfully transferred knowledge on electoral assistance, and from which West African states have benefitted. All these are in addition to a plethora of support and assistance based on short-notice requests, mainly for election observation missions. Thus, from the point of view of ECOWAS, the EU 'represents a dependable, reliable and constant partner in West Africa's regional integration process'.<sup>12</sup>

For the period 2011-2015, the ECOWAS Commission envisages EU support under its tenth Economic Development Fund (EDF) programme to the tune of EUR 119 million for the consolidation of good governance and regional stability.<sup>13</sup> It is from this resource that electoral assistance activities will be financed for the period. There are four specific areas being proposed with regard to electoral assistance: a civic education campaign in West Africa; logistical materials for stockpiling election materials in West Africa; support for election observation missions; and the use of biometric technology in elections and capacity building for EMBs.

The strategic objective of partnerships in electoral assistance has been to enhance regional capacity to effectively accompany ECOWAS member states in ensuring the conduct of credible elections. Having bridged the capacity gaps in the area of training election observation, sharing of good practices and institutionalization of ECOWAS Election Observation processes, the ECOWAS EAU has been preparing for cooperation aimed at enhancing the credibility of the electoral process and institutionalization of EMBs in the region. Hence, its planned development cooperation with the AU and EU is focused on strengthening the institutional cooperation among the EMBs<sup>14</sup> in the region in order to ensure sustainable and credible election management.

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<sup>10</sup> European Union Delegation to Nigeria, Project Sheet: Conflict Prevention and Peace Building

<sup>11</sup> UNDP, Global Programmes for Electoral Cycles Support

<sup>12</sup> Europeafrica.net, 'ECOWAS and EU Want More Cooperation,' 22 September 2008

<sup>13</sup> This represents 20 per cent of the entire fund committed under the tenth EDF, which is now from 2011 to 2015. See EU, Regional Strategy Paper and Regional Indicative Programme 2008- 2013

<sup>14</sup> In 2006 the EMBs were formed into the ECOWAS Network of Electoral Commissions (ECONEC).

## Rationale for and context of development cooperation on election in West Africa

In the case of ECOWAS, development cooperation relating to electoral assistance can be situated within the context of structural conflict prevention across local, national, regional and continental scopes. West Africa was for a long time in the news on the account of its brutally authoritarian governments, resource-driven civil wars and badly flawed elections. Though multi-causal and multi-dimensional, conflict rooted in electoral manipulation has been particularly challenging for states in the region, driving them to the brink of political destabilization. This was particularly true of Nigeria (2007), Togo (2008), and Guinea Bissau (2008), and in the case of Nigeria, led to the perception of reluctance on the part of ECOWAS.<sup>15</sup> In addition, insufficient institutionalization of the EMBs, inadequate financial resources, outright rigging of elections and disenfranchisement of voters have led to violence in the recent past. Environmental factors such as high youth unemployment, ethnicity, religious fundamentalism, lack of representative electoral systems and identity-related problems have been identified as causal factors for election-related conflicts. Ethnic and identity related tension almost marred recent presidential elections in Guinea (2009) and Cote d'Ivoire (2010) but for the sustained engagement of local, national, regional and international partners. These myriads of problems cannot be solved only at national and regional levels. The sustained and systematic support of external partners is required to surmount them.

In spite of support for regional and national bodies over the last few years, the scope and intensity of the challenges being faced are such that enormous resources and social capital of partners are still needed to tackle and overcome such election-related challenges. For instance, as recently as May 2011 stakeholders identified the existence of partisan electoral bodies, lack of adequate mechanisms to manage electoral disputes and ensure inclusive representation, and financial gaps in the organization of elections as important factors of instability in the region. They requested that 'international electoral assistance providers ... adopt a conflict prevention approach in the provision of electoral assistance, placing at the heart of their work, the prevention of election-related conflicts and advice that can facilitate political stability' (UNOWA, 2011), especially against the backdrop of criticisms by scholars.<sup>16</sup>

Whilst not advocating withdrawal from election observation, the EU has in fact acknowledged that support for observation and assistance are intertwined and that 'assistance can improve an electoral system before elections, that assistance is best programmed with sufficient time and can inform the political process vis-à-vis a country, as election reform issues often have a political component' (EC, 2006: 17). This demonstrates that as a conflict

<sup>15</sup> See the account of Professor Ade Adefuye on the dominance of Nigeria on the West African scene as a possible reason for the regional body's refusal to take her up on the flawed election in 2007, in Electoral Institute of Southern Africa, Preventing and Managing Violent Election-Related Conflicts in Africa: Exploring Good Practices, p.18 (Johannesburg: EISA, 2010)

<sup>16</sup> Carothers (1997:124) and Santiso (2001:7) have recorded this cynical view. The former submitted that electoral aid does little for democratization when the elections in question are intended to legitimize an entrenched regime. The latter stated that in post conflict countries particularly, elections are conceived as a 'quick-fix' and an exit strategy for the international community.





prevention strategy, it is expedient to support electoral assistance capable of enhancing the effective operation, transparency, credibility and professionalism of EMBs. Furthermore, the huge and growing cost of elections has contributed to election related tensions and boycotts in some West African states, notably in Benin and Senegal in 2006.<sup>17</sup> Development support has enabled the availability of external funding to complement the resources of states in the region in order to conduct credible elections. Recently, the successful post-conflict/transitional elections in Guinea, Niger and Benin were than 50 per cent financed by development partners, who also deployed observers to ensure the integrity of the process.<sup>18</sup>

In addition, electoral assistance has enhanced the election observation capacity of officials from EMBs, civil society organizations, and experts drawn from the RECs. This has contributed to the prevention of electoral fraud and has enabled opportunities for mediation, as in the case of ECOWAS election observation, which has contributed significantly to peace, security and stability in West Africa. A measure of the progress recorded is the declining number of election-related conflicts in the region over the past few years.

More significantly, the existence of an AU Democracy and Electoral Assistance Fund for financing election-related activities has also assured the continental body of dedicated funding from which resources can be readily made available to RECs for the observation of elections in all African countries, an endeavour that might otherwise fail due to paucity of funds.

## Challenges and opportunities of cooperation on electoral assistance

ECOWAS cooperation with the AU and the EU comes with various challenges. Firstly, international actors have been accused of according disproportionate attention to election monitoring at the expense of investment in the institutions that undergird free, fair and competitive elections (AU, 2009:45). Development partners are generally seen as interested in African elections (especially support for election observation) as opposed to the electoral cycle approach, which is more sustainable and long-term.<sup>19</sup> Indeed, most of the development partners' support for ECOWAS election-related activities has been devoted to election observation. This is understandable, given the fact that electoral assistance is demand-driven. The main challenge, however, is that most demands for election observation support are usually made close to an election and in an ad hoc manner. If this practice continues, funds originally meant for other institution-building programmes may be diverted to election observation. It is therefore recommended that both the AU and EU should increase

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<sup>17</sup> As recorded by Olukoshi, Adebayo, *Governance Trends in West Africa, 2006: A Synthesis Report* (Dakar: CODESRIA, 2008) p. 21. The Beninese President attempted but failed to postpone the vote on account of the high cost; his Senegalese counterpart was more successful, in spite of vociferous protests by the opposition.

<sup>18</sup> In Guinea, the estimated cost of the 2008 election was USD23 million. In Nigeria, between 1999 and 2009, N4.2 billion was disbursed to political parties while N630 million was budgeted for disbursement to political parties in 2010. The 2010 election in Cote d'Ivoire was estimated to cost CFA115 billion. See West African Insight Online, 'Technology and the Costs of Elections in West Africa' (2011)

<sup>19</sup> See International IDEA, *The European Union's Electoral Assistance: Perceptions of African Democracy Building* (Stockholm: International IDEA, 2010), p. 13

their involvement in the electoral process mainly through technical, capacity-building and funding support in critical areas such as biometric voter registration and logistical support for West African EMBs, rather than by putting a bulk of their funding into observation.

Secondly, there is a risk of changes to the priorities of beneficiary states regarding the type of support required. This could delay or prevent the implementation of programmes. There may, for instance, be pressure on political leaders to encourage electoral support of the type that has a physical impact on the conduct of an election (for example, the purchase of ballot boxes) rather than support whose impact cannot be measured (for example, civic education). Moreover, support for technology intensive programmes may no longer be desirable due to a myriad of pragmatic reasons.<sup>20</sup> Indeed, a previous lesson shared by West African Insight is instructive:

In the Togolese March 2010 presidential election an elaborate but credible system with support from the UNDP was deployed for the collation of results. It was planned that election results verified at all collation centers across the country should be keyed into a computer program and be received immediately at Lome, the capital. This process was to be monitored through a server stationed in Switzerland. This scheme was designed to curb the trend of vote rigging earlier observed in the Togolese elections of 2005. However, the Togolese electoral commission opted not to use the system at all in 2010 (West African Insight Online, 2011).

Perhaps, the action of Togolese stakeholders was due to low literacy levels and infrastructural deficits in the country. What cannot be disputed, however, is that technology intensive programmes are still not seen as a priority in many African states, and the direct (or express) commitment of beneficiary states is essential for such programme to be supported, rather than through a third-party inter-governmental organization. Identification of the actual beneficiary states and decisions as to what modalities will guide support packages need therefore to be resolved. It is recommended that the AU and EU explore the possibility of signing a Memorandum of Understanding (MOU) directly with the beneficiary member states (with the facilitation of ECOWAS) in order to ensure the commitment of member states to implement programmes.

Thirdly, the details of development assistance packages need to be negotiated at the formulation stage of development assistance, and should be clearly mentioned in the project document to be signed by the parties. Indeed, the activities to be undertaken within a specific programme or project stream also need to be finalized and should contain detailed description, duration, methodology of implementation and actual timelines for implementation of activities, while already formulated log-frames of activities (which should be annexed to the main document) should be agreed upon from the beginning by technical teams from the contracting institutions. This will contribute significantly to the absorption of funds, as benefiting institutions will develop activities based on practical capabilities and the challenges they face.

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<sup>20</sup> This subject is exhaustively dealt with in Tuccinardi et al, *Making Electoral Assistance Effective: From Formal Commitment to Actual Implementation* (Stockholm: International IDEA, 2008) p. 24



In addition, there is a need to clarify whether these proposed programmes have been expressly captured in the ECOWAS Commission Medium Term Action Plan (MTAP) or reflected in the Action Plan developed for the implementation of the Democracy and Political Governance Components of the ECOWAS Conflict Prevention Framework (ECPF). There may be a need to eliminate multiple and parallel medium term plans and ensure the inclusion of the development cooperation programme in a single EAU MTAP. Failure to do this carries the risk of haphazard implementation or outright non-implementation, as programme implementation is prioritized based on a multi-year budgetary and medium term planning framework.

The institutional challenges confronting development assistance and effectiveness at the ECOWAS Commission in relation to coordination, transparency in fund administration and corporate governance have been well articulated by Sperling (2011) and bear no repeating here. However, there is a need for development partners to work together with the ECOWAS Commission to build the required human capacity within the EAU. This entails supporting the recruitment of more staff for the EAU, which at present has only two professional staff and which may not currently be in a position to coordinate big projects in addition to its work in election observation, capacity building and other forms of assistance to member states. There may also be a need for synchronizing programmes on logistical support and biometric technology activities with programme cycles of the Peacekeeping and Regional Security/ Humanitarian Directorates and the ECOWAS Community Computer Centre (CCC) respectively, due to the linkages that might exist at the implementation phase.

However, there are also opportunities. Firstly, change in the ECOWAS Commission's management, expected to take place in early 2012, will not likely have an adverse effect on the implementation of these programmes. This is due to two major factors. The first is that, since the proposed programmes will be included within the Medium Term Action Plan (MTAP) period for the ECOWAS Commission (2011-2015), they are deemed to be part of the priorities for the next five years and it is incumbent on the new management to ensure their implementation. The second factor is that regular and institutionalized high-level consultations between ECOWAS and both the AU and EU provide an avenue for reinforcing previous commitments and consistently monitoring progress in implementation. If anything, the advent of new management, which will inherit well articulated and coordinated programme management systems, will ensure that they hit the ground running, which will in turn facilitate more effective and efficient implementation of both ECOWAS-funded and donor-funded programmes.

The second opportunity is that the existence of an ECOWAS Peace Fund can be of immense benefit to development partners as the Fund has the mandate to partner directorates or departments and units within ECOWAS to ensure the implementation of projects funded within the framework of development assistance. This applies equally to those funded by both the AU and EU. However, the Peace Fund can only enhance development assistance if the on-going reform of the Fund is continued and concluded within a short-term period. The Peace Fund was established as a special vehicle for funding emergency issues and other activities demanding urgent funding, especially those relating to themes of conflict management, mediation, security, migration, peacekeeping, election and so on within ECOWAS member states. In addition to this function, it also coordinates the disbursement

of development partners' funds. Most of the EU funds for election-related activities have been channeled through the Fund and as such any inefficiency experienced at the Fund will definitely impact implementation. The Fund was established by virtue of Article 36 of the ECOWAS Mechanism of 1999, but inadequate personnel and insufficient leverage to coordinate with other Directorates in the implementation of its mandates hampered its work for a long time. This led to low budget absorption, poor project monitoring and a few cases of neglected projects. Even though the resources of development partners domiciled with the Fund have been used to finance some election observation missions and other governance programmes, there is room for improved coordination as future programmes may require more technical competence at the Fund. In this vein, a reform of the Fund that commenced in 2011, and which led to the appointment of a substantive Head and to institutional reorganization, should continue. Presently, the reform has made the Fund a part of the office of the ECOWAS President, a move that has enhanced the Fund's leverage and allowed effective coordination of funding support for bilateral and multilateral assistance to ECOWAS. It is expected that this move will be complemented by the recruitment of an adequate number of staff and possibly by the dedication of a clearly defined percentage of the fund to democracy and institution building. A strong and effective Peace Fund will no doubt ensure the effective and efficient coordination of partners' funding support in strengthening the democratic architectures of member states.

The third opportunity is the support of the management of the ECOWAS Commission and the leadership of the ECOWAS Departments of Political Affairs, Peace and Security (PAPS) and their commitment to the prioritization of election-related programmes. This has been demonstrated over the years by ECOWAS' observation of all presidential elections in the region since 2004 (except Gambia's Presidential Election, 2011), in spite of manpower challenges at the Commission. The achievements recorded so far are measures of how rewarding the commitments have been. Notable examples of elections where ECOWAS' presence made a considerable difference and contributed significantly to peaceful transitions include Ghana (2008), Guinea (2010), Benin (2011) and Liberia (2011). It is therefore important to reinforce operational-level coordination in order to ensure the effectiveness of development cooperation on electoral assistance.

Fourthly, there are coordination mechanisms that exist for ensuring operational-level programme implementation, monitoring and evaluation. These include the yearly Development Partners' meeting, periodic meetings between the AU and RECs on electoral assistance, and a culture of desk-to-desk consultation among the institutions. The Development Partners' meeting is planned and coordinated by the External Relations Directorate within the Office of the ECOWAS President to review on-going support, identify new programme support, jointly examine and resolve challenges hindering the implementation of projects and to make suggestions as to how development partners can contribute more substantially to regional integration. The AU and the RECs have also resolved to conduct regular meetings to ensure that electoral assistance programmes are well coordinated and avoid duplication and ineffectiveness. At the desk-to-desk level, the Head of EAU in ECOWAS has easy access to his AU and EU counterparts, a situation that can allow for exchange of experiences and ideas on programme design and implementation within the framework of planned joint programmes. If properly utilized, these mechanisms



can help in addressing responses encountered at the implementation stage in a timely manner.<sup>21</sup>

## Conclusion

This paper argues that development cooperation is critical to enable ECOWAS to make qualitative progress in its bid to enhance the effectiveness of electoral processes in member states. In particular, in the interest of advancing development cooperation, it also proposes policy recommendations to meet the challenges and opportunities of cooperation.

These recommendations include, among others: (1) increased involvement with the electoral process mainly through technical, capacity building and funding support in critical areas such as biometric voter registration and logistical support for West African EMBs, rather than the bulk of funding being spent on observation; (2) signing Memoranda of Understanding directly with the beneficiary member states (with the facilitation of ECOWAS) in order to ensure the commitment of member states to implementation; and (3) reinforcing operational-level coordination.

Recognizing, however, that development assistance is not long term, a clear exit strategy for ECOWAS is proposed in Appendix Two. This exit strategy includes process-driven technical support for governance institutions, regional knowledge transfer through exchange programmes, establishment of a Regional Democracy Fund (RDF), the establishment of a Technical Working Group to ensure coordination and synchronization between the regional, national and local components of electoral assistance programmes, and a plan towards the gradual ending of donor involvement. The essence of these actions would be to ensure medium-term effectiveness of election-related programmes, to cut costs and to ensure an easy transfer of programmes to local stakeholders.

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<sup>21</sup> See Appendix Three for specific recommendations to enhance ECOWAS' coordination of development assistance.

## Abbreviations

AU	African Union
APSA	Africa Peace and Security Architecture
CEWS	Continental Early Warning Systems
EAU	Electoral Assistance Unit
ECOWAS	Economic Community of West African States
ECPF	ECOWAS Conflict Prevention Framework
EDF	Economic Development Fund
EMB	Electoral Management Bodies
EU	European Union
MTAP	Medium Term Action Plan
PAPS	ECOWAS Departments of Political Affairs, Peace and Security
REC	Regional Economic Community
UNDP	United Nations Development Programme



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## Appendix One: Ecowas' electoral assistance programme: A brief description

Conceptual Underpinnings: The ECOWAS EAU has the mandate to facilitate electoral assistance in ECOWAS member states in line with the provisions of Articles 12-18 of the Supplementary Protocol on Democracy and Good Governance (ECOWAS, 2001: 11-14). These Articles outline the mandate of ECOWAS in elections to include 'any form of assistance' but dwell extensively on fact-finding and observation missions. In addition, Articles 2-10 articulate what are known as 'democratic election principles' that form the norm of credible and democratic elections. These principles specify that no substantial modification shall be made to the electoral laws in the last six months before the election; that elections are to be organized on the dates fixed by the constitution; that women have equal rights to vote and be voted for; that EMBs shall be independent or neutral and shall have the confidence of all political actors; that ECOWAS shall ensure the establishment of a reliable registry of births and deaths; that member states shall, in the area of civic registration, exchange experiences and where necessary provide technical assistance to each other in the production of reliable voters' lists; that voters' lists shall be prepared in a transparent and reliable manner; that preparation for, conduct of and announcement of election result be done transparently; that adequate arrangements be made to hear and dispose of all election-related petitions; that civil society should be involved in voters education and enlightenment; and that incumbents must refrain from all acts of intimidation or harassment against defeated candidates (ECOWAS, 2001: 10-11).<sup>22</sup>

The ECPF, which documents ECOWAS' operational conflict prevention and peace building strategy on strengthening human security, identifies specific electoral assistance that ECOWAS may render to member states, within the democracy and political governance component. They include: technical and financial support for the conduct of census-taking; voter education; enactment of credible electoral codes; compilation of voter registers; and training of electoral officials, monitors and observers (ECOWAS, 2008: 29). Member states, on the other hand, are committed to encouraging the establishment of permanent platforms that bring together EMBs, political parties, security services, the media and civil society for the exchange of views; for formulating electoral codes of conduct and modalities; and for the resolution of election related disagreements (ECOWAS, 2008: 30).

The actual implementation of these robust and holistic mandates has been more challenging, but in spite of limited human capacity and financial resources, the EAU has performed creditably in supporting the professionalization of EMBs, and extending financial and technical support in areas such as voter registration, logistics, voter education, training and capacity building, as well as the facilitation of pre-election fact-finding and election observation missions. The EAU tasks can be divided into four parts, as follows:

**Fact-Finding and Election Observation:** These are the main activities of the EAU but are currently restricted to presidential elections (parliamentary elections may also be observed in a post-conflict country). The fact-finding mission, usually deployed by the ECOWAS

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<sup>22</sup> These are in addition to the 'Constitutional Convergence Principles' and other governance-related provisions contained in the Supplementary Protocol and the ECPF, most of which are implemented by the Democracy and Good Governance Unit, equally domiciled within the Political Affairs Directorate.



President, interacts with stakeholders in the electoral process, such as candidates, political party leaders, governmental authorities, civil society and so on, in order to assess the status of preparation for the election. The report of the fact-finding mission then forms part of the working document of the observation mission, which is a short-term mission, led by a team leader, with the mandate to observe the election. In practice, these missions have been instrumental in encouraging the Community to broker dialogue among stakeholders, and in some cases have undertaken this task directly. This dialogue normally leads to action to remedy observed flaws in the process just before the conduct of elections. Though it is important to point out that whilst this is not the case in all elections, it has nonetheless contributed to many successful elections in the region.

Even though ECOWAS has been criticized for being too soft on election manipulators in its declarations after each observation mission, ECOWAS' approach is one that integrates mediation (conflict management) with technical observation, and is based on the need to encourage institution-building and stability rather than find faults with the often fragile states in the region. Indeed, this explains why its preliminary declaration after each observation is mild, because, as observed by Cheikh Diarra, 'in the final declaration destined for the government of a host country, careful language is absolutely mandatory . . . critical observation should be written down in the EOM report designated for the Executive Secretary (President) of ECOWAS'.<sup>23</sup> African institutions, particularly ECOWAS, have been accused of inexperience, conflict of interest and absence of coordination with other electoral players, factors that negatively affect the effectiveness of its election observation missions.<sup>24</sup> Assistance and joint activities in election observation by ECOWAS and the EU will help in building capacity and knowledge sharing between the two institutions. This will help the former in adapting its processes to international standards and prepare it for the long term, especially against the backdrop of the following assertion by an expert that:

The role of regional organizations in electoral observation is particularly important, given the fact that in the future, international observers and donors will hand over responsibility for election observation to Africans, who will choose their own approach in light of their thorough understanding of the African context.<sup>25</sup>

Nonetheless, it is important to state that observation is seen as the flagship activity of ECOWAS' EAU. Its contributions to peace and stability in the region cannot therefore be over-emphasized.

Technical and Financial Assistance: ECOWAS also extends technical and financial support to member states based on needs and requests. In most cases, this form of assistance is requested close to the conduct of an election, as a means of last resort by either the EMB or the government of the member state involved. Such support is, however, extended in monetary value and the beneficiary state is expected to submit a financial report to the ECOWAS Commission on how the disbursed financial resources are expended. During

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<sup>23</sup> Diarra, Cheikh Oumar, 'The Role and Mandate of ECOWAS regarding Democracy, Good Governance, and Election Observation in West Africa' in *The Role of ECOWAS in Election Observation: Report from Expert Workshop with the ECOWAS Council of Elders*, Accra, Ghana, June 14-16 2004 (Berlin: Zentrum für Internationale Friedenseinsätze gGmbH, 2004) pp. 27-35

<sup>24</sup> Bittiger, Tim, 'Election Observation in West Africa: The ECOWAS Experience', *Elections Today*, 13/2 (2005), p. 27

<sup>25</sup> Bittiger, 'Election Observation in West Africa: The ECOWAS Experience', p. 28

2011, the ECOWAS Commission extended money to EMBs in order to strengthen their electoral processes. Countries like Niger, Benin and Liberia benefitted up to about USD 4.2 million in special grants for enhancing the capacity building and functioning of electoral commissions, training on election management and voter education, computerization of the EMB, logistics support to the Electoral Commission, and training of youth in non-violent campaigning.

Building the Capacity of Electoral Commissions: Enhancing the capacity of EMBs in the region has been top of the agenda of ECOWAS. This is because the most profound challenges experienced in election management relate to professionalism. Since 2004, a number of capacity building and thematic training programmes have been undertaken, while EMBs in most member-states have undergone internal reforms, aimed at enhancing their effectiveness in election administration. Kambale (2011: 1-2) argues that one of the general traits of the reforms introduced in this area in member countries has been an effort to reinforce or initiate mechanisms to separate, even insulate, electoral management from the normal administrative responsibilities of the executive. The direct consequence, he argues, has been the creation of EMBs described as being 'independent' of the executive in almost all the countries of the region. This, he states, has resulted in the need to equip electoral management bodies with competent personnel, whose need for expertise has increased each time the electoral rules and procedures become more complex. It follows logically that such new personnel have to be trained. In this light, ECOWAS has, through its partnership with the Kofi Annan International Peacekeeping Training Centre (KAIPTC) and arrangements with the AU, trained electoral officials on different thematic areas. In 2011, it commenced a programme cycle aimed at delivering biannual capacity building in the area of electoral administration for electoral commissions and civil society through a specialized package known as Building Resource in Democracy Governance and Elections (BRIDGE) Training. Individual donor countries have also organized training programmes in the past to further regional capacity building priorities. An example is the German financed course for election observers from ten ECOWAS States in 2006.<sup>26</sup>

Harmonization of Electoral Processes through ECOWAS Network of Election Management Bodies (ECONEC): An item that was identified as one of the fundamental objectives of ECONEC, when it was established in February 2008, was the harmonization of electoral processes and laws in the region. Even though this is arguably a long-term objective, the Network has been working towards it by concentrating attention on sharing good practice, facilitating relationships between ECOWAS member state EMBs, getting hands-on skills during election fact finding and observation, and working out modalities for a regional logistical support for election management. The EAU has also over the years developed a consultative framework with ECONEC (through its Steering Committee) to ensure that all electoral assistance programmes for member states are initiated from the regional body. ECONEC has also been involved in studies financed by the Friedrich-Ebert Stiftung Regional Programme in Abuja to look at the challenges and opportunities of harmonizing electoral laws and processes in the region.<sup>27</sup>

<sup>26</sup> See 'Germany Supports Election Monitoring in West Africa', Ghana Daily Graphic, 14 October 2006

<sup>27</sup> For details see Hounkpe, Mathias and Fall, Ismaila Madior, *Electoral Commissions in West Africa: A Comparative Study* (Abuja: Friedrich-Ebert Stiftung, 2010)



**Marginal Mechanisms:** These include the organizations, directorates and personal whose activities have significant impact on ECOWAS electoral assistance programmes or who occasionally play an ad hoc but important role in election observation. These include the ECOWAS Council of the Wise (CoW), the Early Warning Directorate, the Peacekeeping and Regional Security Directorate and eminent individuals (normally a sitting Head of State or Special Envoy). It is now conventional for CoW members to be made part of both the fact-finding and election observation missions. They are also drafted into important consultative/mediation teams during these exercises, and their mediation skills have contributed immensely to the success of dialogue with difficult stakeholders. In addition, they have participated in mediation teams on election-specific agenda, the most recent being ECOWAS mediation in Guinea, Benin and Niger in the run-up to presidential elections. As for the Early Warning Directorate, it has been consistent in directing the attention of stakeholders to the main issues in each up-coming election through information received from its analysts. These are often part of the election observation missions and this affords them the opportunity of contributing to the observation reports. In addition, the Peacekeeping and Regional Security Directorate has supported the EAU by deploying a 'security' election observation mission, based on requests by local stakeholders who distrust local military officers. Another rationale for such security missions revolves around conflict early warning, with regard to liaising with the military officers of the host country and conducting investigations when necessary.<sup>28</sup> This type of mission, though not included in the Supplementary Protocol, involves deployment of unarmed high-ranking military officers in full military fatigue to perform the same task as civilian observers. Special Envoys or facilitators, such as Chief Olusegun Obasanjo, President Blaise Campaore and General Abdulsalam Abubakar, have through their 'good offices' contributed to resolving disagreements among political actors and paved the way for successful elections in Guinea-Bissau, Guinea, Cote d'Ivoire, Niger and Liberia in recent years.<sup>29</sup> It is necessary to point out that the reference to these categories as 'marginal' is just to express their ad hoc methodology of involvement and not a measure of their impact, as they have made a significant contribution to electoral integrity in the region.

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<sup>28</sup> See Hounkpe, Mathias and Gueye, Alioune Badara, *The Role of Security Forces in the Electoral Process: The Case of Six West African Countries* (Abuja: Friedrich-Ebert Stiftung, 2010) pp.77-8

<sup>29</sup> See, for example, Yabi, Gilles Olaokunle, *The Role of ECOWAS in Managing Political Crisis and Conflict: The Cases of Guinea and Guinea Bissau* (Abuja: Friedrich-Ebert Stiftung, 2010) pp.20-2; 'ECOWAS Leaders Exhort Nigerien Parties to Exhibit Flexibility in Resolving Political Crisis', Reliefweb, 16 February 2010; 'Guinea: ECOWAS Pushes for Election this Year', *ThisDay*, 10 January 2009

## Appendix Two: Exit strategy for the ECOWAS EAU from development assistance

Development support, whether in terms of capacity or financial assistance, needs a clear exit strategy. Thus the dependency of projects on donors should be only on a short-term basis. It is essential for stakeholders to agree on ensuring that ECOWAS gradually end its election observation missions and focus more on process-based technical support and less on logistical support or election-day activities related to the EMBs. In this way, fewer funds will be required for training, education, mentoring and advisory roles that may be rendered in this phase by advisers and technocrats, many of whom are already familiar with the processes within member states. Experts may also need to be seconded to electoral commissions of member states on the sponsorship of other states within the region (which is already being done at bilateral levels). In addition, partnership between ECOWAS and community based groups, national training institutions and inter-governmental organizations working in these areas (most of whom have offices in-country) would reduce the cost of such exercises drastically.

In addition to the strategy suggested above, there is a need for states in the region to leverage the internal resources of member states. This could be done either by statutorily reserving a defined percentage of funding accruable to the ECOWAS Peace Funds exclusively to process-related electoral assistance programmes or through the establishment of a Regional Democracy Fund (RDF) whose main purpose would be to support building the capacities of governance institutions and strengthening EMBs in member states. If the former option is adopted, it will mean that less money will be made available to peacekeeping in the region (which is logical as there will be less conflict if there is good governance in member states). For the former option to work effectively, however, the Peace Fund must be reformed by ensuring the recruitment of an adequate number of staff and defining the actual percentage of the Community Levy that should accrue to the fund, a portion of which should statutorily be dedicated to democracy and election assistance. There is also a need to give the manager of the Fund the power to approve projects without recourse to the Office of the President (within a defined ceiling). If the latter option is selected, the implication is that such a Fund would rely on voluntary contributions from member states and will only be supplemented by voluntary contributions from other friendly countries. The external contributions would, however, be extended to projects for which the governments of member states are providing more than 50 per cent of the funding.

The third approach is to focus on strategic planning. In this area, the best way to proceed is to ensure that the EAU recruit its full complement of staff in order to ensure sustainability and balance in all areas of its operation. Programme implementation built on inadequate human resources may become disarticulated. The EAU and ECONEC should empanel a technical working group, with the participation of representatives of both bodies, representatives of CSOs working on governance and election, and capacity building institutions in the region. The group would be empowered to design and steer the implementation of a ten-year electoral assistance programme that will be phased in a way that gradually reduces donor interventions and hands over components of projects to local stakeholders. ECOWAS should also link its planned Logistic Depots more concretely



to electoral assistance, and accelerate work on the projects in order to ensure completion within the next two years. Finally, medium term programmes as they relate to electoral assistance should be harmonized in order to eliminate disarticulation and inconsistencies (for example, between the MTAP, the Workplan of the ECPF and programme priorities identified in donors' programme documents).

## Appendix Three: Recommendations to the ECOWAS Commission

There is a need for the ECOWAS Commission to coordinate partners' intervention on a medium and long-term basis, based on a robust and futuristic needs analysis, focused equally on election observation and institution-building programmes for EMBs, and which also works towards reduction in donor interventions in the medium term. Secondly, the review sections of the Supplementary Protocol must address emerging election-related challenges in West Africa in its medium and long-term programming cycles. ECOWAS should also organize periodic review sessions with development partners in order jointly to examine lessons learned, review progress made, examine the trajectory of electoral administration in the region and proffer solutions to the problems of financial absorption and implementation of programmes. There is an urgent need for the Community to facilitate the establishment of a functional Secretariat for the regional Network of Electoral Commissions (ECONEC) and empower it to play a defined role in the coordination of development assistance, project implementation and formulation in cooperation with the EAU and development partners. It should as well revitalize the EAU by redesigning its organogram to reflect the responsibilities entrusted to it by the Supplementary Protocol and ensure the hiring of an adequate number of staff to implement its mandates. In addition, it should ensure a practicable and workable methodology for programme and financial reporting to the EU and AU on the implementation of projects within the framework of their development cooperation.





## Short Biography

Mr. Kehinde Bolaji is a Research Officer in the Democracy and Good Governance Division of ECOWAS' Political Affairs Directorate. He supports the Head of the Division in designing, facilitating and implementing region-wide policies aimed at strengthening the capacity and functioning of critical governance institutions in ECOWAS member states. The focus of his work includes anti-corruption, human rights and political parties, as well as capacity building for parliamentarians and the focal ministries in charge of the African Peer Review Mechanism (APRM) in member states. He previously worked on conflict, peacekeeping and governance at the African Centre for Strategic Research and Studies, National War College, Nigeria. He holds a Masters Degree in Political Science from the University of Ibadan, Nigeria and he has authored several conference papers and journal articles on the subjects of regional and national security, democracy and good governance.